REMARKS

These remarks and the accompanying amendments are responsive to the Office Action made final and dated February 6, 2006 (hereinafter the "Office Action"), and to the Advisory Action dated April 25, 2006 (hereinafter the "Advisory Action"). At the time of the last examination, and at the time of the Advisory Action, Claims 2-10, 13, 16-19, 21, and 28-33 were pending. By this amendment, Claims 16, 18, 31 and 32 are amended, and new Claims 34-37 were added. Accordingly, upon entry of this amendment, Claims 2-10, 13, 16-19, 21 and 28-37 will be pending for further consideration by the Examiner. Accompanying this response is a Request for Continued Examination (RCE) to allow the enclosed amendments to be entered and the following remarks to be considered. Of the pending claims, Claims 2-10, 13 and 28-30 are allowed, and Claims 16-19, 21, and 31-33 are rejected. Of the rejected claims, Claims 16, 18, 21 and 31-33 are independent.

Section 2 of the Office Action rejects Claims 16-19, 31 and 32 under 35 U.S.C. 103(a) as being unpatentable over German patent number DE 19830841 A1 to Shulz (hereinafter, "Shulz") in view of United States patent number 6,882,727 issued to Vialen et al. (hereinafter, "Vialen") and further in view of United States patent number 6,791,963 issued to Hwang et al. (hereinafter, "Hwang").

The Advisory Action states as follows:

> "Applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., information channel based on a TDD method is included in a signal based on an FDD method and the signal based on the FDD method is transmitted) is not recited in the claims." (Advisory Action, Page 2, lines 4-8).

The applicants respectfully disagree with this statement. The feature that the Advisory Action asserts in not in the claims is actually clearly in the claims. For instance, each of Claims

16, 18, 31 and 32 recite "information of a signal based on a TDD method [is included] in a signal based on an FDD method" and "transmitting the signal based on the FDD method". Thus, the applicants are relying on language that is recited in the claims in making the previous arguments distinguishing the claims over the cited art.

Further, the Advisory Action states as follows:

> "Schulz respectfully already establishes that information of TDD mode may be included in a FDD mode. The basis of Hwang's reference is to establish that information of TDD mode includes synchronization channels such as SCCH, BCCH, PCCH and common control channel (CCCH)." (Advisory Action, page 2, lines 9-11).

However, even if a synchronization channel and a common control channel are transmitted in Schulz in consideration of Hwang, it is not necessary to include information of the synchronization channel based on the TDD method in a signal based on the FDD method and transmit the signal. Also, it is not necessary to include information of the common control channel based on the TDD method in a signal based on the FDD method and transmit the signal.

That is, in Schulz, the base station BS transmits organization information oi1, oi2, etc. including several radio interfaces FS1 (FDD mode in Figure 3), FS2 (TDD mode in Figure 3), etc. through the first radio interface FS1 (please see Figures 1-4, claims 1, 8 and 11, etc. of Schulz). This means that the base station BS includes information of a communication channel based on the TDD method in a signal based on the FDD method and transmits the signal. Therefore, it is not necessary to include information of the synchronization channel and/or the common control channel based on the TDD method in a signal based on the FDD method and transmit the signal. Therefore, there is not teaching or suggestion of the same in the cited art. Thus, it is not obvious for one skilled in the art to include information of the synchronization

channel and/or the common control channel based on the TDD method in a signal based on the FDD method and transmit the signal.

In contrast, when the transmission recited in Claims 16 and 31 is made, even if the receiving side does not know information regarding a communication channel based on the TDD method, the receiving side can use information of a synchronization channel based on the TDD method included in a signal based on the FDD method to receive the synchronization channel, use the received synchronization channel to identify a code of a common control channel based on the TDD method, use the identified code to receive the common control channel, acquire information of a communication channel based on the TDD method from the received common control channel, and use the acquired information to receive the communication channel.

Further, when the transmission recited in Claims 18 and 32 is made, even if the receiving side does not know information regarding a communication channel based on the TDD method, the receiving side can use information of a common control channel based on the TDD method included in a signal based on the FDD method to receive the common control channel, acquire information of a communication channel based on the TDD method from the received common control channel, and use the acquired information to receive the communication channel.

Therefore, Claims 16, 18, 31 and 32 are not obvious over Schulz, Hwang, and Vialen, either singly or in combination. Claims 17 and 19 depend from Claims 16 and 18, respectively, and are thus not unpatentable over these references for at least the reasons provided for their respective independent claim. Accordingly, the 35 U.S.C. 103(a) rejection of Claims 16-19, 31 and 32 should be withdrawn, and withdrawal is respectfully requested.

Section 3 of the Office Action rejects Claims 21 and 33 under 35 U.S.C. 103 as being unpatentable over Shulz in view of United States patent application serial number 6,839,333 issued to Akerberg (hereinafter "Akerberg").

The Advisory Action states as follows:

> "Akerberg establishes in figure 11 and in col. 8, lines 13-26 of a TDD/FDD system, where information relating to the timing offset based on the TDD and FDD method." (Advisory Action, page 2, lines 14 and 15).

However, although Akerberg employs TDD and FDD, neither "signal based on TDD method" nor "signal based on FDD method" exists in Akerberg. That is, for example, FTX and FRX of Figure 4 mean a transmission signal and a receiving signal, respectively. It does not mean that one of FTX and FRX is "signal based on TDD method" and the other is "signal based on FDD method". The same thing can be said for the other figures (Figures 3 and 5-9).

Since neither "signal based on TDD method" nor "signal based on FDD method" exists in Akerberg, it is clear that Akerberg does not disclose "a timing offset between a signal based on a TDD method and a signal based on an FDD method". Therefore, it cannot be said that the present invention of Claims 21 and 33 is obvious over Schulz and Akerberg. Accordingly, the 35 U.S.C. 103(a) rejection of Claims 21 and 33 should be withdrawn, and withdrawal is respectfully requested.

Therefore, favorable action is respectfully requested. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

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Respectfully submitted,

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